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Remistered Ament for: П CSC-Lawyers incorporation Service Comp CSC-Lawyers incorporation Service 72 1 Registered Agent tor: Registered, Inc., a Division of UIC 11 1 Chemsico, Inc., a Chemsico, and Street Chemsico, Inc., a Chemsico, a П 287 Lefterson City, Missouri 65101-1574 000 221 Bolivar Street 2710 7076 Street PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions **USPS TRACKING#**



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Chad Schulze /dc
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- A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.

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- the following services:

 Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, Domestic Return Receipt, attach PS Form 3811 to your mailplece;

- for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.
- Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
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PS Form 3800, April 2015 (Reverse) PSN 7530-02-000-9047



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 10

1200 Sixth Avenue, Suite 900 Seattle, Washington 98101-3140

OFFICE OF COMPLIANCE AND ENFORCEMENT

Reply To: OCE-101

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CERTIFIED MAIL — RETURN RECEIPT REQUESTED

CSC-Lawyers Incorporation Service Company Registered Agent for: Chemsico, Inc., a Division of United Industries Corporation, LLC. 221 Bolivar Street Jefferson City, Missouri

Re: Vacatur – Stop Sale, Use, or Removal Order for the pesticide product "Black Flag Disposable Fly Trap"

Docket No. FIFRA-10-2017-0106

Dear Madam or Sir:

With this letter the United States Environmental Protection Agency, Region 10 ("EPA") hereby vacates the Stop Sale, Use, or Removal Order ("Order") captioned above. This vacatur is effective immediately. On August 29, 2017, EPA issued the Order based on its reason to believe on the basis of inspection and tests that the product was a pesticide requiring registration under Section 3 of the Federal Insecticide, Fungicide and Rodenticide Act ("FIFRA"), 7 U.S.C. § 136a, and EPA's implementing regulations at 40 C.F.R. Part 152. Specifically, the product labeling contained pesticidal claims and the product contained the known attractant "indole" in quantities ranging from 8.10 to 11.3 parts per million.

Chemsico, Inc. responded to the Order on October 4, 2017. Based on our evaluation of the product in light of the new information regarding the ingredients and manner of production provided in your October 4, 2017, letter, the EPA has determined that the product meets the exemption from registration for foods codified at 40 C.F.R. § 152.25(d). The regulation at 40 C.F.R. § 152.25(d) states: "The pesticides or classes of pesticides listed in this section have been determined to be of a character not requiring registration under FIFRA, and are therefore exempt from all provisions of FIFRA when intended for use, and used, only in the manner specified. * * * (d) Foods. Products consisting of foods and containing no active ingredients, which are used to attract pests." EPA is vacating the Order solely because the product meets this exemption.

If you have any questions regarding this letter, please call Chad Schulze at (206) 553-0505. Questions from legal counsel should be directed to Brett S. Dugan at (206) 553-8562.

Sincerely

Edward J. Kowalski

Director

cc: Lauren Myers,

Senior Regulatory Manager

Spectrum Brands, Inc.